

SENATE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION
FIFTY-EIGHTH LEGISLATURE

**EIGHTY-FIRST LEGISLATIVE DAY
THURSDAY, MARCH 30, 2006**

Senate Chamber

President Pro Tempore Geddes called the Senate to order at 9 a.m.

Roll call showed all members present except Senator Bunderson, absent and formally excused by the Chair; and Senators Brandt, Burkett, Broadsword, Cameron, Gannon, and Langhorst, absent and excused.

Prayer was offered by Chaplain Don Hardenbrook.

The Pledge of Allegiance was led by Kyle Raese, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 29, 2006, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 135

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING THE FINDINGS OF THE LEGISLATURE
AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT
A COMMITTEE TO UNDERTAKE AND COMPLETE A
STUDY OF EXCISE TAXES IN THE STATE OF IDAHO.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, Idaho imposes excise taxes on kilowatt hours, cigarettes, tobacco, and beer and wine sold through private licensed wholesale distributors; and

WHEREAS, the public policy underlying each excise tax, the basis on which each excise tax is levied, and the reasonableness and adequacy of each excise tax to defray public costs associated with the products on which the tax is imposed, has not been reevaluated and justified since the taxes were imposed several decades ago; and

WHEREAS, the excise tax on kilowatt hours dates back to the beginning of the nineteenth century and the underlying purposes of the tax should be reevaluated; and

WHEREAS, the bases on which excise taxes are imposed on similar products are inconsistent and result in product discrimination and favoritism by state government, with the excise tax on tobacco based on price, the excise tax on cigarettes based on volume, and the excise tax on beer and wine based on the equivalent number of barrels and gallons sold, respectively; and

WHEREAS, the excise tax on beer has been frozen since 1961, and the excise tax on wine has been frozen since 1971; and

WHEREAS, the societal cost of alcohol abuse has increased significantly in recent decades, placing sharply increased costs on local and state law enforcement, including prosecutions, courts, jails, and prisons, and on medicaid and certain other programs administered by the Department of Health and Welfare; and

WHEREAS, spirits, wine and beer sold through the Idaho State Liquor Dispensary are sold at market price plus a 2% surcharge to raise money for drug courts but beer and wine sold through private licensed wholesale distributors do not have such a surcharge; and

WHEREAS, the excise tax and surcharge on beer and wine sold through private licensed wholesale distributors has not increased commensurate with the rise in alcohol abuse related costs, although there has been such an increase relating to the sales of spirits, wine and beer sold through the Idaho State Liquor Dispensary; and

WHEREAS, in the face of increasing costs, the excise tax base on beer and wine, as a percentage of price, has actually eroded over 85% and such erosion aggregates over \$21 million annually; and

WHEREAS, the favorable volume-based excise tax on beer and wine sold through private licensed wholesale distributors, and the 2% surcharge on Idaho State Liquor Dispensary sales, has given private licensed wholesale distributors an increasingly competitive price advantage over the Idaho State Liquor Dispensary and has resulted in shifting market share to private licensed wholesale distributors.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the public policy underlying each excise tax within the state of Idaho, the basis on which each excise tax is levied, and the reasonableness and adequacy of each excise tax to defray public costs associated with the products upon which the tax is levied, should be reevaluated and justified.

BE IT FURTHER RESOLVED, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of excise taxes in the state of Idaho and report its findings to the First Regular Session of the Fifty-ninth Idaho Legislature. The Legislative Council shall determine the number of legislators and membership from each house appointed to the committee and shall authorize the committee to receive input, advice and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED, that nonlegislative advisory members may be appointed to the committee by the cochairs of the committee. Nonlegislative advisory members shall not be reimbursed from legislative funds for per diem, mileage, or other expenses and shall not have voting privileges regarding the committee's recommendations or proposed legislation.

SCR 135 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 30, 2006

The JUDICIARY AND RULES Committee reports that **S 1487** has been correctly printed.

DARRINGTON, Chairman

S 1487 was referred to the Finance Committee.

March 29, 2006

The JUDICIARY AND RULES Committee reports that **S 1300**, as amended, as amended in the House, and **S 1363**, as amended in the House, have been correctly enrolled.

DARRINGTON, Chairman

The President Pro Tempore signed Enrolled **S 1300**, as amended, as amended in the House, and **S 1363**, as amended in the House, and ordered them transmitted to the House for the signature of the Speaker.

March 29, 2006

The JUDICIARY AND RULES Committee reports that Enrolled **S 1275**, **S 1295**, **S 1334**, **S 1373**, **S 1395**, as amended, **S 1399**, **S 1400**, as amended, **S 1401**, **S 1407**, **S 1409**, as amended, **S 1411**, **S 1413**, **S 1449**, **S 1450**, **S 1451**, and **S 1452** were delivered to the Office of the Governor at 2:35 p.m., March 29, 2006.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

Senator Cameron was recorded present at this order of business.

March 29, 2006

The STATE AFFAIRS Committee reports out **H 834** with the recommendation that it do pass and with the recommendation that it be placed on the Consent Calendar.

BURTENSHAW, Chairman

H 834 was filed for second reading.

March 29, 2006

The STATE AFFAIRS Committee reports out **S 1462**, **H 570**, as amended, and **H 795** with the recommendation that they do pass.

BURTENSHAW, Chairman

S 1462, **H 570**, as amended, and **H 795** were filed for second reading.

March 29, 2006

The STATE AFFAIRS Committee reports out **SJR 108** without recommendation.

BURTENSHAW, Chairman

SJR 108 was filed for second reading.

March 30, 2006

The FINANCE Committee reports out **S 1487** with the recommendation that it do pass.

CAMERON, Chairman

S 1487 was filed for second reading.

March 29, 2006

The FINANCE Committee reports out **H 845**, **H 846**, **H 847**, and **H 848** with the recommendation that they do pass.

CAMERON, Chairman

H 845, **H 846**, **H 847**, and **H 848** were filed for second reading.

Senators Broadsword, Burkett, Gannon, and Langhorst were recorded present at this order of business.

March 29, 2006

The RESOURCES AND ENVIRONMENT Committee reports out **HJM 25**, **HCR 64**, and **H 841** with the recommendation that they do pass.

SCHROEDER, Chairman

HJM 25 and **HCR 64** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

H 841 was filed for second reading.

March 29, 2006

The EDUCATION Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Paul C. Agidius to the State Board of Education, term to expire March 1, 2011.

GOEDDE, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

President Risch assumed the Chair.

March 29, 2006

The COMMERCE AND HUMAN RESOURCES Committee reports out **H 822**, **H 825**, **HCR 65**, and **H 753**, as amended, with the recommendation that they do pass.

ANDREASON, Chairman

H 822, **H 825**, and **H 753**, as amended, were filed for second reading.

HCR 65 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 29, 2006

The TRANSPORTATION Committee reports out **H 820** with the recommendation that it do pass.

BRANDT, Chairman

H 820 was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 29, 2006

Mr. President:

I transmit herewith **H 849**, **H 851**, and **H 852** which have passed the House.

JUKER, Chief Clerk

H 849, **H 851**, and **H 852** were filed for first reading.

March 29, 2006

Mr. President:

I return herewith **S 1456**, **S 1458**, **S 1459**, **S 1460**, **S 1461**, **S 1463**, **S 1367**, and **SCR 124** which have passed the House.

JUKER, Chief Clerk

S 1456, **S 1458**, **S 1459**, **S 1460**, **S 1461**, **S 1463**, **S 1367**, and **SCR 124** were referred to the Judiciary and Rules Committee for enrolling.

March 29, 2006

Mr. President:

I transmit herewith Enrolled **HCR 50**, as amended, for the signature of the President.

JUKER, Chief Clerk

The President signed Enrolled **HCR 50**, as amended, and ordered them returned to the House.

March 29, 2006

Mr. President:

I return herewith Enrolled **S 1266**, as amended, **S 1314**, as amended, **S 1327**, **S 1338**, **S 1339**, **S 1343**, **S 1350**, as amended, **S 1356**, as amended, **S 1414**, **S 1428**, **S 1454**, **S 1455**, **S 1412**, as amended, **SCR 125**, **SCR 126**, **SCR 129**, **SCR 130**, and **SJM 119** which have been signed by the Speaker.

JUKER, Chief Clerk

Enrolled **S 1266**, as amended, **S 1314**, as amended, **S 1327**, **S 1338**, **S 1339**, **S 1343**, **S 1350**, as amended, **S 1356**, as amended, **S 1414**, **S 1428**, **S 1454**, **S 1455**, **S 1412**, as amended, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Enrolled **SCR 125**, **SCR 126**, **SCR 129**, **SCR 130**, and **SJM 119** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

March 29, 2006

Mr. President:

I return herewith Enrolled **S 1340**, as amended, **S 1386**, as amended, **S 1388**, **S 1389**, as amended in the House, **S 1415**, **S 1423**, as amended, **S 1457**, **SJM 120**, and **SCR 128** which have been signed by the Speaker.

JUKER, Chief Clerk

Enrolled **S 1340**, as amended, **S 1386**, as amended, **S 1388**, **S 1389**, as amended in the House, **S 1415**, **S 1423**, as amended, and **S 1457** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Enrolled **SJM 120** and **SCR 128** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

March 29, 2006

Mr. President:

I return herewith **S 1390**, as amended, which has failed to pass the House.

JUKER, Chief Clerk

S 1390, as amended, was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that **HCR 45** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Richardson, seconded by Senator Kelly, **HCR 45** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

Senator Brandt was recorded present at this order of business.

The President announced that **SCR 134** was before the Senate for final consideration.

Moved by Senator Schroeder, seconded by Senator Marley, that **SCR 134** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Burkett, Burtenshaw, Cameron, Corder, Darrington, Davis, Fulcher, Hill, Jorgenson, Kelly, Keough, Langhorst, Lodge, Malepeai, Marley, Pearce, Richardson, Schroeder, Stennett, Sweet, Werk, Williams. Total - 24.

NAYS--Broadsword, Bunderson, Coiner, Compton, Gannon, Geddes, Goedde, Little, McGee, McKenzie, Stegner. Total - 11.

Paired and voting included in roll call:

AYE - Malepeai NAY - Bunderson

Total - 35.

Whereupon the President declared **SCR 134** adopted, title was approved, and the resolution ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1488

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO POWERS AND DUTIES OF THE STATE TAX COMMISSION REGARDING PROPERTY TAX; AMENDING SECTION 63-105A, IDAHO CODE, TO PROVIDE THAT THE STATE TAX COMMISSION SHALL PROMULGATE RULES TO ESTABLISH PROPERTY TAX INFORMATION REPORTING STANDARDS THAT WILL AID IN MAKING SOUND PUBLIC POLICY AND TO MAKE A TECHNICAL CORRECTION.

S 1489

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE STATE TAX COMMISSION; AMENDING CHAPTER 1, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-105B, IDAHO CODE, TO PROVIDE ADDITIONAL DUTIES OF THE STATE TAX COMMISSION FOR CONDUCTING AN ANALYSIS, OVER A TEN YEAR PERIOD, ON EACH IDAHO CODE SECTION THAT PROVIDES A SALES TAX EXEMPTION, A PROPERTY TAX EXEMPTION OR AN INCOME TAX CREDIT, TO PROVIDE ANNUAL REPORTING REQUIREMENTS, TO PROVIDE FOR ASSIGNMENT OF EACH YEAR'S ANALYSES TO STANDING

COMMITTEES OF EACH LEGISLATIVE BODY FOR LEGISLATIVE REVIEW, CONSIDERATION AND RECOMMENDATION, IF ANY, AND TO PROVIDE FOR SUBMISSION OF COMMITTEE REVIEWS TO LEADERSHIP BY MARCH 1 OF EACH LEGISLATIVE SESSION.

S 1490

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE STATE CONTROLLER FOR FISCAL YEAR 2007.

S 1488, S 1489, and S 1490 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 849, H 851, and H 852, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 844, by Appropriations Committee, was read the second time at length and filed for third reading.

S 1484, by Finance Committee, was read the second time at length and filed for third reading.

H 739, by Education Committee, was read the second time at length and filed for third reading.

H 833, by Ways and Means Committee, was read the second time at length and filed for third reading.

H 816 and H 778, as amended, by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

H 723, as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

H 655, as amended in the Senate, by Business Committee, was read the second time at length and filed for third reading.

H 508, as amended in the Senate, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

H 714, as amended, as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

H 770, as amended in the Senate, as amended in the Senate, by Education Committee, was read the second time at length and filed for third reading.

S 1448, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

H 736, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Williams arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 33.

NAYS--None.

Absent and excused--Bunderson, Hill. Total - 2.

Total - 35.

Whereupon the President declared **H 736**, as amended, passed, title was approved, and the bill ordered returned to the House.

H 737, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 33.

NAYS--None.

Absent and excused--Bunderson, Hill. Total - 2.

Total - 35.

Whereupon the President declared **H 737**, as amended, passed, title was approved, and the bill ordered returned to the House.

Senator Bunderson was recorded present at this order of business.

H 800 was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Burtenshaw and Williams arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Burtenshaw, Cameron, Corder, Darrington, Davis, Geddes, Hill, Keough, Marley, Pearce, Richardson, Stegner, Stennett, Williams. Total - 14.

NAYS--Andreason, Brandt, Broadsword, Bunderson, Burkett, Coiner, Compton, Fulcher, Gannon, Goedde, Jorgenson, Kelly, Langhorst, Little, Lodge, Malepeai, McGee, McKenzie, Schroeder, Sweet, Werk. Total - 21.

Total - 35.

Whereupon the President declared that **H 800** had failed to pass the Senate and ordered the bill returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 2:15 p.m. until the hour of 3:15 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 3:15 p.m., pursuant to recess, President Risch presiding.

Roll call showed all members present except Senator Sweet, absent and formally excused by the Chair; and Senators Burkett, Fulcher, Goedde, and Pearce, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

March 30, 2006

The FINANCE Committee reports out **H 849**, **H 851**, and **H 852** with the recommendation that they do pass.

Cameron, Chairman

H 849, **H 851**, and **H 852** were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 849, **H 851**, and **H 852**, by Appropriations Committee, were read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Senators Burkett, Fulcher, Goedde, and Pearce were recorded present at this order of business.

Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 844** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency, and **H 844** was read the third time at length, section by section, and put upon its final passage.

H 844 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Keough, Little, Lodge, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Williams. Total - 27.

NAYS--Burkett, Kelly, Langhorst, Malepeai, Marley, Stennett, Werk. Total - 7.

Absent and excused--Sweet. Total - 1.

Total - 35.

Whereupon the President declared **H 844** passed, title was approved, and the bill ordered returned to the House.

Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1484** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency, and **S 1484** was read the third time at length, section by section, and put upon its final passage.

S 1484 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Werk, Williams. Total - 34.

NAYS--None.

Absent and excused--Sweet. Total - 1.

Total - 35.

Whereupon the President declared **S 1484** passed, title was approved, and the bill ordered transmitted to the House.

Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 739** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency, and **H 739** was read the third time at length, section by section, and put upon its final passage.

H 739 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Werk arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Werk, Williams. Total - 34.

NAYS--None.

Absent and excused--Sweet. Total - 1.

Total - 35.

Whereupon the President declared **H 739** passed, title was approved, and the bill ordered returned to the House.

Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 833** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency, and **H 833** was read the third time at length, section by section, and put upon its final passage.

H 833 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Werk, Williams. Total - 34.

NAYS--None.

Absent and excused--Sweet. Total - 1.

Total - 35.

Whereupon the President declared **H 833** passed, title was approved, and the bill ordered returned to the House.

On request by Senator McKenzie, granted by unanimous consent, **H 816** was recommitted to the Local Government and Taxation Committee.

Suspension of Rules

On request by Senator Stegner, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 778**, as amended, were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency, and **H 778**, as amended, was read the third time at length, section by section, and put upon its final passage.

H 778, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Corder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Werk, Williams. Total - 34.

NAYS--None.

Absent and excused--Sweet. Total - 1.

Total - 35.

Whereupon the President declared **H 778**, as amended, passed, title was approved, and the bill ordered returned to the House.

Suspension of Rules

On request by Senator Stegner, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 723**, as amended in the Senate, were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency, and **H 723**, as amended in the Senate, was read the third time at length, section by section, and put upon its final passage.

H 723, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly,

Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Werk, Williams. Total - 34.

NAYS--None.

Absent and excused--Sweet. Total - 1.

Total - 35.

Whereupon the President declared **H 723**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 655**, as amended in the Senate, were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency, and **H 655**, as amended in the Senate, was read the third time at length, section by section, and put upon its final passage.

H 655, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Werk, Williams. Total - 34.

NAYS--None.

Absent and excused--Sweet. Total - 1.

Total - 35.

Whereupon the President declared **H 655**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 508**, as amended in the Senate, were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency, and **H 508**, as amended in the Senate, was read the third time at length, section by section, and put upon its final passage.

H 508, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Corder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Bunderson, Burkett, Burtenshaw, Corder, Darrington, Davis, Fulcher, Goedde, Hill, Jorgenson, Kelly, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Richardson, Stegner, Stennett, Werk, Williams. Total - 25.

NAYS--Broadsword, Compton, Gannon, Geddes, Keough, Pearce, Schroeder. Total - 7.

Absent and excused--Cameron, Coiner, Sweet. Total - 3.

Total - 35.

Whereupon the President declared **H 508**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 714**, as amended, as amended in the Senate, were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency, and **H 714**, as amended, as amended in the Senate, was read the third time at length, section by section, and put upon its final passage.

H 714, as amended, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stegner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Werk, Williams. Total - 34.

NAYS--None.

Absent and excused--Sweet. Total - 1.

Total - 35.

Whereupon the President declared **H 714**, as amended, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 770**, as amended in the Senate, as amended in the Senate, were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of

urgency, and **H 770**, as amended in the Senate, as amended in the Senate, was read the third time at length, section by section, and put upon its final passage.

H 770, as amended in the Senate, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brandt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Werk, Williams. Total - 34.

NAYS--None.

Absent and excused--Sweet. Total - 1.

Total - 35.

Whereupon the President declared **H 770**, as amended in the Senate, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

On request by President Pro Tempore Geddes, granted by unanimous consent, **S 1448**, as amended, was recommitted to the State Affairs Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 4:50 p.m. until the hour of 9:30 a.m., Friday, March 31, 2006.

JAMES E. RISCH, President

Attest: JEANNINE WOOD, Secretary